

CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to consider the Planning Commission's recommendation that the City Council adopt a General Plan Land Use Amendment from MDR, Medium Density Residential to LDR, Low Density Residential for the property located at 2630 Paradise Drive.

MEETING DATE: April 7, 1999

PREPARED BY: Community Development Director

RECOMMENDED ACTION: That the City Council approve the Planning Commission's recommendation to adopt a General Plan Land Use Amendment from MDR, Medium Density Residential to LDR, Low Density Residential for the property located at 2630 Paradise Drive.

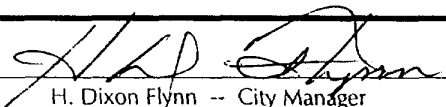
BACKGROUND INFORMATION: The project involves the small southernmost triangular portion of the approved and developing Lodi West Development Plan. The recommended General Plan Amendment stems from the recent Planning Commission approval of the Lodi West development plan amendment that redesigned the 7.16-acre project site from a 57-lot, medium-density, single-family subdivision into a 42-lot, low-density single-family subdivision. Subsequent to the approval of development plan amendment, the Planning Commission recommended the forfeiture of the original 57 medium-density building permit allocations and the awarding of 42 low density allocations. The City Council approved the recommended allocations late last year. In addition to the development plan amendment and the awarding of allocations, the Planning Commission recently approved the tentative subdivision map for Lodi West, Unit No. 7, which mapped the project area in compliance with its development plan. All of the prior Planning Commission approvals are contingent on the City Council's approval of the recommendation to approve this General Plan amendment.

The following information is a detailed background on the Lodi West, Unit No. 7 tentative subdivision map. Unit No. 7 is generally located south of Paradise Drive, north and east of the Woodbridge Irrigation District Canal (WID), and west of Lower Sacramento Road (see vicinity map). In order to validate the recently approved subdivision, the General Plan Land Use Map amendment from MDR, Medium Density Residential to LDR, Low-Density Residential must take place. Unit No. 7 contains approximately one-tenth of the total single-family lots approved and allocated for the entire Lodi West Development Plan

The 42 single-family lots of Unit No. 7 will be similar in size to the existing lots of the previously approved subdivision units to the north; however the proposed street configuration is unique to this subdivision unit. Given the small number of dwelling units within the project area and that the longest street section will only serve 11 homes, the applicant proposed a smaller 38-foot right-of-way.

The City's minimum standard for residential street width is 50-feet; however, comments and discussions amongst Engineering, Fire, and Planning have provided the information necessary to conclude that the proposed 38-foot right-of-ways are attractive and functional. The street will be at a residential scale providing access to the homes without overwhelming the area with a lot of unnecessary pavement. We feel that the proposed street widths will discourage high speeds by physically making it appear more difficult to do so. By staggering driveway locations on the streets, we will also be able to allow on-street

APPROVED: _____


H. Dixon Flynn -- City Manager

parking without creating an obstruction to emergency vehicles. There is a condition of approval to provide street trees near the back of the sidewalk to establish a parkway atmosphere. This condition is a move toward a City standard that could apply to all future residential developments implementing a reduced street width.

Another unique element of the street system of Unit No. 7 is the use of a hammerhead style turnaround instead of the typical cul-de-sac. The hammerhead turnaround is beneficial to the project because it is functional, is much less expensive than having to provide an 80-foot diameter cul-de-sac, and maximizes the number of lots within the development. By reducing costs and increasing the density within the subdivision, the developer will save money and have the ability to pass these savings on to the consumer.

The subdivision map is proposed at approximately 6 dwelling units per acre with an average lot size of around 5,500 square-feet. The proposed density and lot sizes are consistent with the existing R-2, single-family zoning of the surrounding lots to the north and west. Lodi West, Unit No. 7 is in substantial compliance with its approved development plan. The lots of Unit No. 7 have been reviewed and approved at the development plan level and are simply a continuation of the development process.

Over the past seven years, 233 of the 378 single-family lots of the Lodi West Development Plan have been mapped as a final subdivision map. So far, approximately 83 homes are built and 66 are under construction. Frontier Development has been constructing homes in the Lodi West Subdivision for over a year now and the majority of the homes in the subdivision. Given Lodi West's slow start, staff is pleased to see Frontier Development's recent and continued activity. Frontier will be constructing homes on the remaining lots of the existing final subdivision units as well as the lots of the final map established from this tentative map.

FUNDING: None required

A handwritten signature in black ink, appearing to read 'Konradt Bartlam', with a stylized, elongated flourish extending to the right.

Konradt Bartlam
Community Development Director

Prepared by: Mark Meissner, Associate Planner.

MM

Attachments



MEMORANDUM, City of Lodi, Community Development Department

To: Planning Commission
From: Community Development Department
Date: February 24, 1999
Subject: The request of Frontier Development for approval of a General Plan Land Use Amendment from MDR, Medium Density Residential to LDR, Low Density Residential; a Use Permit to amend PD(29) to allow Low Density Residential; and a Tentative Subdivision Map for 42 single-family residences, all to be located at 2630 Paradise Drive.

SUMMARY

Each of the three requests of the applicant is related with the single purpose of approving a single-family residential subdivision, so the three issues will be discussed as one in this memo. The 7.16-acre project site for the Lodi West Tentative Subdivision Map, Unit No. 7, is located at 2630 Paradise Drive. Unit No. 7 contains 42 single-family residential lots, which is approximately one-tenth of the total single-family lots approved and allocated for the Lodi West Development Plan. Unit No. 7 is generally located south of Paradise Drive, north and east of the Woodbridge Irrigation District Canal (WID), and west of Lower Sacramento Road (see vicinity map). In order for the project site to fully develop as a single-family residential subdivision the project site, which is currently zoned PD(29) for medium density residences will need to be amended to allow low-density single-family residences. For consistency, a General Plan Land Use Map amendment from MDR, Medium Density Residential to LDR, Low-Density Residential is also necessary.

BACKGROUND

The project involves the small southernmost triangular portion of the approved and developing Lodi West Development Plan. The proposed tentative subdivision map is based on the recent development plan amendment and approval to redesign a 57-lot, medium-density, small lot, single-family subdivision into 42 low-density single-family lots. The City Council on recommendation from the Planning Commission later approved the 42 low-density single-family building permit allocations. The amended Lodi West Development Plan now includes a total of 378 single-family lots. As a condition of approval to the development plan amendment, the project area's General Plan land use designation and zoning are required to be amended for consistency. Given that there is an approved and fully allocated single-family residential development plan for the project site, Staff believes the requested General Plan Amendment and PD amendment are a formality.

The additional 42 single-family lots of Unit No. 7 will be similar in size to the existing lots of the previously approved subdivision units to the north; however the proposed street configuration is unique to this subdivision unit. Given the small number of dwelling units within the project area and that the longest street section will only serve 11 homes, the applicant proposed a smaller 38-foot right-of-way. The City's minimum standard for residential street width is 50-feet; however, comments and discussions amongst Engineering, Fire, and Planning have provided us with the information to conclude that the proposed 38-foot right-of-ways are functional and will provide an aesthetic quality to the project. The street will be at a residential scale providing access to the homes without overwhelming the area with a lot of unnecessary pavement. We feel that the proposed street widths will discourage high speeds by physically making it appear more difficult to do so. By staggering driveway locations on the streets, we

will also be able to allow on-street parking without creating an obstruction to emergency vehicles. Staff is recommending a condition of approval to provide street trees near the back of the sidewalk to establish a parkway atmosphere. This condition is a move toward a new City standard that will apply to all future residential developments implementing a reduced street width.

Another unique element of the street system of Unit No. 7 is the use of a hammerhead style turnaround instead of the typical cul-de-sac. The hammerhead turnaround is beneficial to the project because it is functional, is much less expensive than having to provide an 80-foot diameter cul-de-sac, and maximizes the number of lots within the development. By reducing costs and increasing the density within the subdivision, the developer will save money and have the ability to pass these savings on to the consumer.

Another unusual element of the subdivision is lot number 352 which is proposed to be a flag lot. The main concerns of staff were whether the lot could be adequately accessed by the Fire Department. The engineer for the project has discussed fire safety issues with the Fire Department staff and has designed the flag lot accordingly. The Fire Department requires a driveway no less than 25 feet in width, and that the cul-de-sac have a fire hydrant. These two requirements have been met.

The subdivision map is proposed at approximately 6 dwelling units per acre with an average lot size of around 5,500 square-feet. The proposed density and lot sizes are consistent with the existing R-2, single-family zoning of the surrounding lots to the north and west. Lodi West, Unit No. 7 is in substantial compliance with its approved development plan. The lots of Unit No. 7 have been reviewed and approved at the development plan level and are simply a continuation of the development process.

Over the past seven years, 233 of the 378 single-family lots of the Lodi West Development Plan have been mapped as a final subdivision map. So far, approximately 83 homes are built and 66 are under construction. Frontier Development has been constructing homes in the Lodi West Subdivision for over a year now and the majority of the homes in the subdivision. Given Lodi West's slow start, staff is pleased to see Frontier Development's recent and continued development activity. Frontier will be constructing homes on the remaining lots of the existing final subdivision units as well as the lots of the final map established from this tentative map.

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to the City Council for a General Plan Land Use Amendment from MDR, Medium Density Residential to LDR, Low Density Residential. Staff also recommends approval of a Use Permit to amend PD(29) to allow Low Density Residences, and a Tentative Subdivision Map for Lodi West, Unit No. 7 subject to the conditions listed in the attached resolution.

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve the Requests with Alternate Conditions
- Deny the Requests
- Continue the Requests


Respectfully Submitted,



Mark Meissher
Associate Planner

MGM/mgm

Reviewed and Concur,



Konradt Bartlam
Community Development Director

**CITY OF LODI
PLANNING COMMISSION
Staff Report**

MEETING DATE: February 24, 1999

APPLICATION NO: Tentative Subdivision Map: 99-S-002

REQUEST: The request of Frontier Development for approval of a General Plan Land Use Amendment from MDR, Medium Density Residential to LDR, Low Density Residential; a Use Permit to amend PD(29) to allow Low Density Residential; and a Tentative Subdivision Map for 42 single-family residences, all to be located at 2630 Paradise Drive.

LOCATION: 2630 Paradise Drive. (APN 029-380-07)

APPLICANT: Frontiers – c/o Thomas Doucette
2375 West March Lane
Stockton, CA 95207

OWNER: Lodi Building Partners II, L.P.
2375 West March Lane
Stockton, CA 95207

Site Characteristics: The project site is made up of various portions of the approved and developing Lodi West Development Plan. The development plan includes a total of 378 single-family lots. The development plan has all 378 building permit allocations necessary to complete the project. These allocations were obtained in the years 1991-98.

The Woodbridge Irrigation District (W.I.D.) canal borders the overall Development Plan on the west and south. Lower Sacramento Road is the eastern boundary of the site. Peterson Park, formerly known as Westgate Park, is located at the northwest corner of the site. Two-hundred-thirty-three (233) single-family lots have been recorded as final subdivision lots. Approximately 149 homes are built or under construction.

The project area is relatively flat and has no unusual or extraordinary topographic features.

General Plan Designation: MDR, Medium-Density Residential

Zoning Designations: PD-29, Planned Development (Medium-Density)

Property Size: The project site is approximately 7.16 acres. The Lodi West development plan including the current project site, contains 100.1 acres.

Adjacent Zoning and Land Use:

North: R-2, Single-Family Residential; LDR, Low Density Residential
South: WID Canal and County Agricultural land; PR, Planned Residential
East: PD(27), Planned Development, (Parkview Terrace); LDR, Low Density Residential
West: WID Canal and County Agricultural land; PR, Planned Residential

Neighborhood Characteristics:

This project area is near the north west corner of the City which is made up predominately of single-family homes. To the north are developed and developing single-family lots of Lodi West that front Paradise Drive. Further to the north is an undeveloped portion of Lodi West. To the south across the WID canal, is undeveloped agricultural land in the County, but designated in the Lodi General Plan for development of dwellings. Further to the south is the Raley's Shopping Center, which is located across Lodi Avenue. To the west across the WID canal, is the same as the south. To the east across Lower Sacramento Road, is St. Peters Lutheran Church, Parkview Terrace senior homes, and other single-family residences.

ENVIRONMENTAL ASSESSMENTS:

Negative Declaration ND 98-07 adequately addresses possible adverse environmental effects of this project. No significant impacts are anticipated; however, mitigation measures have been required.

PUBLIC HEARING NOTICE:

Legal Notice for the Development Plan was published on February 12, 1999. A total of 23 notices were sent to all property owners of record within a 300-foot radius of the subject property.

RECOMMENDATION:

Staff recommends that the Planning Commission approve the request of Frontier Development for a General Plan Land Use Amendment from MDR, Medium Density Residential to LDR, Low Density Residential; a Use Permit to amend PD(29) to allow Low Density Residential; and a Tentative Subdivision Map for 42 single-family residences, all to be located at 2630 Paradise Drive, subject to the conditions in the attached resolution.

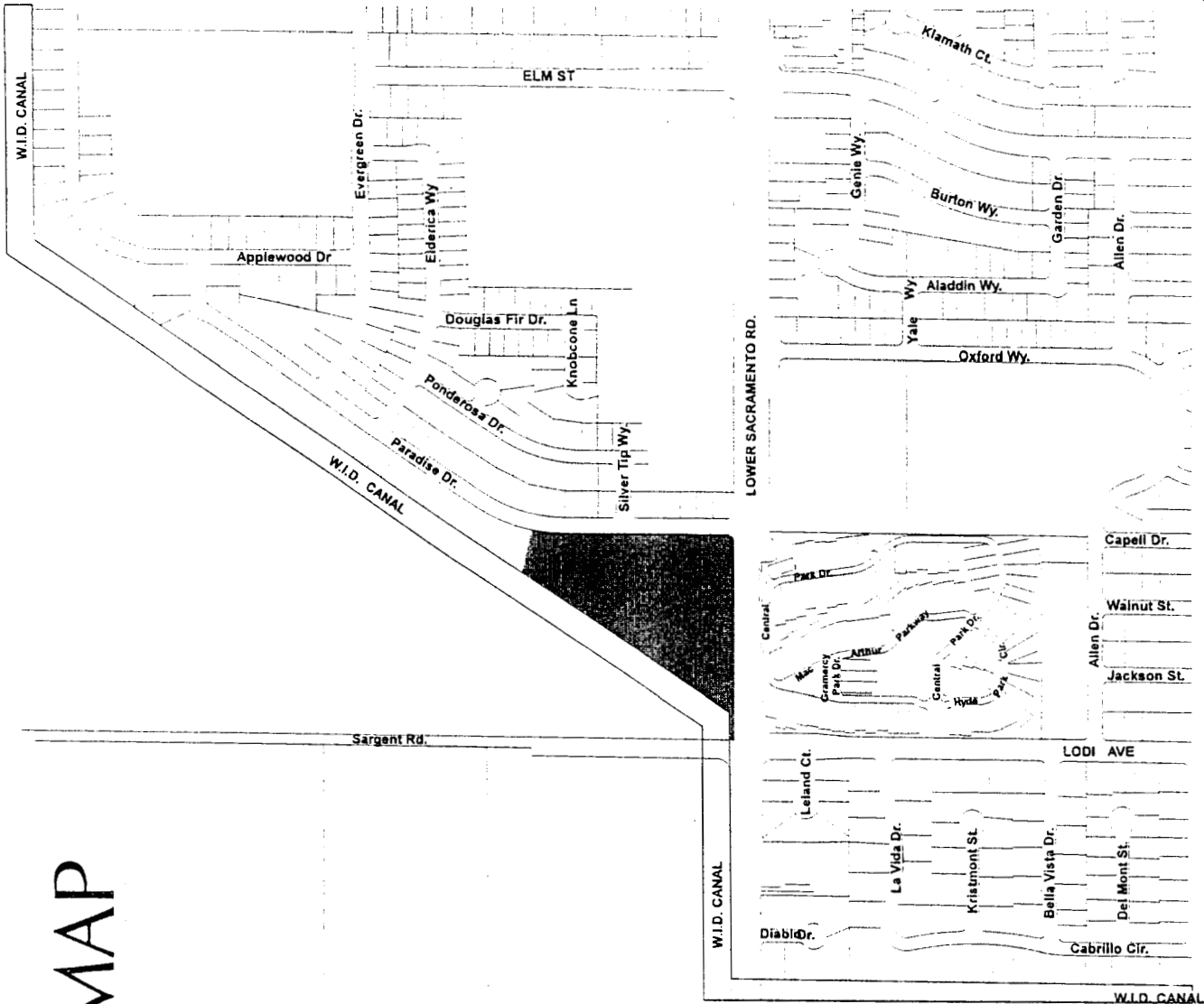
ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve the Requests with Alternate Conditions
- Deny the Requests
- Continue the Requests

ATTACHMENTS:

1. Vicinity Map
2. Subdivision Map
3. Draft Resolution
4. Neg. Dec. ND-98-07

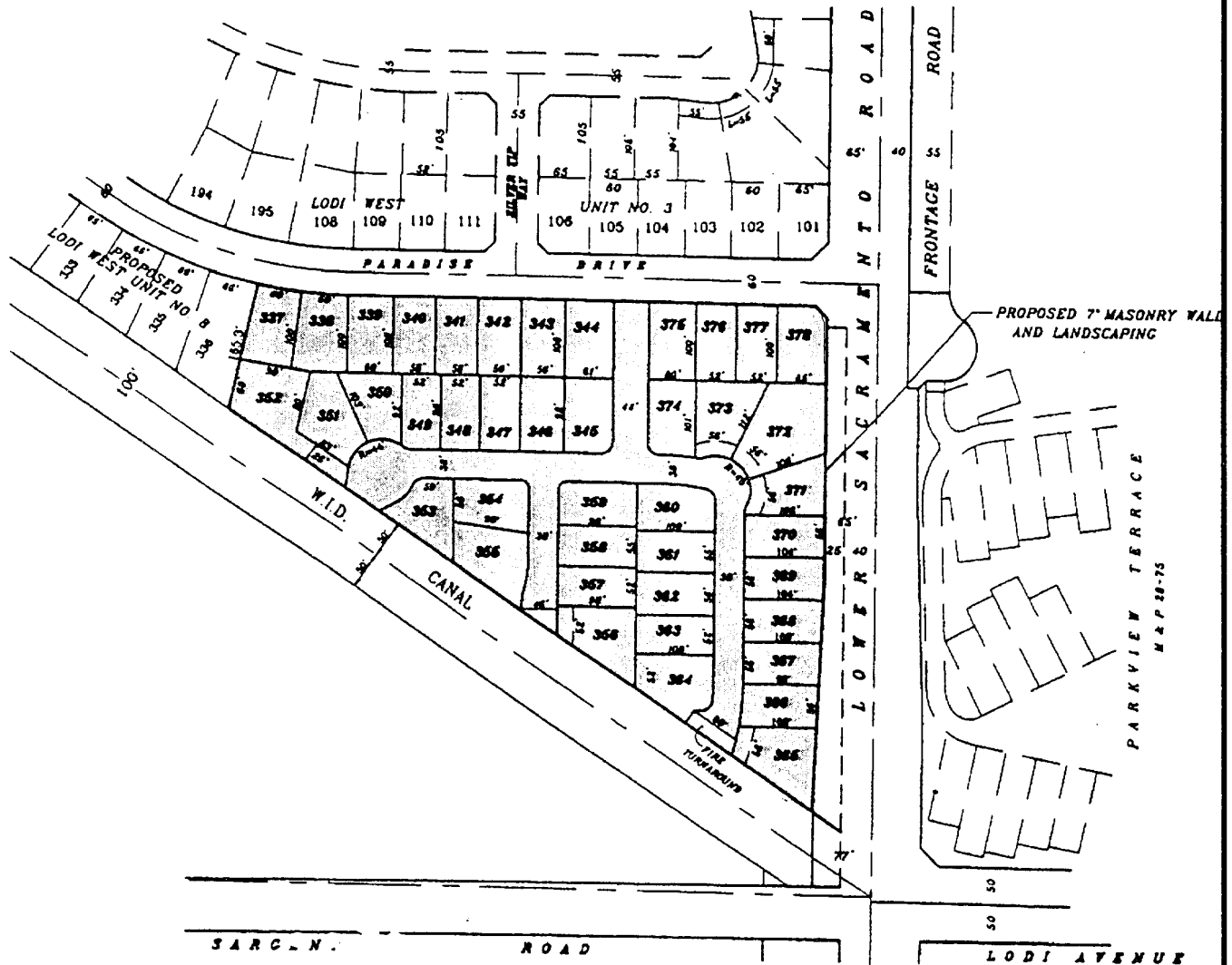
VICINITY MAP



Lodi West, Unit No. 7
42 Single Family Lots
2630 Paradise Drive

99-S-002

2/24/99



Lodi West, Unit No. 7
42 Single Family Lots
2630 Paradise Drive

99-S-002

2/24/99

RESOLUTION NO. P.C. 99-09

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI
TO RECOMMEND APPROVAL OF GENERAL PLAN LAND USE
AMENDMENT, 99-1 TO THE CITY COUNCIL OF THE CITY OF LODI.**

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law to recommend approval of General Plan Land Use Amendment 99-1 to the City Council of the City of Lodi, and approve Use Permit, U-99-01 in accordance with the Government Code and the Lodi Municipal Code.

WHEREAS, the subject property is located at 2630 Paradise Drive, Lodi, CA, APN 029-380-07;

WHEREAS, the property is zoned (PD) 29, Single-Family Residential;

WHEREAS, the project proponent is Frontier c/o Thomas Doucette, 2375 West March Lane, Stockton, CA;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi as follows.


1. Negative Declaration ND 98-07 adequately addresses possible adverse environmental effects of this project. No significant impacts are anticipated; however, mitigation measures have been required.
2. It is hereby found that the site is physically suitable for the proposed type of development.
3. It is further found that the site is physically suitable for the proposed density of the development.
4. It is found that approval of the General Plan Land Use Amendment will result in good Planning practice.
5. The Planning Commission of the City of Lodi hereby recommends approval of General Plan Land Use Amendment 99-1 to the City Council of the City of Lodi.

Dated: February 24, 1999

I hereby certify that Resolution No. 99-08 was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on February 24, 1999 by the following vote:

AYES:	Commissioners:	Borelli, Rasmussen, and Rice
NOES:	Commissioners:	
ABSENT:	Commissioners:	Stafford and Chairman Schmidt
ABSTAIN:	Commissioners:	Mattheis and McGladdery

ATTEST:


Secretary, Planning Commission

RESOLUTION NO. 99-58

A RESOLUTION OF THE LODI CITY COUNCIL AMENDING
THE LAND USE ELEMENT OF THE LODI GENERAL PLAN BY
REDESIGNATING THE PROPERTY LOCATED AT 2630
PARADISE DRIVE FROM MDR, MEDIUM DENSITY
RESIDENTIAL TO LDR, LOW DENSITY RESIDENTIAL

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BE IT RESOLVED, by the City Council of the City of Lodi, that the Land Use Element of the Lodi General Plan is hereby amended by redesignating the property located at 2630 Paradise Drive from MDR, Medium Density Residential to LDR, Low Density Residential, as shown on the Vicinity Map on file in the office of the Lodi City Clerk.

BE IT FURTHER RESOLVED that a Negative Declaration (# ND 98-07) has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Planning Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in their Resolution No. 99-09.

Dated: April 7, 1999

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I hereby certify that Resolution No. 99-58 was passed and adopted by the Lodi City Council in a regular meeting held April 7, 1999 by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Mann, Nakanishi, Pennino and
Land (Mayor)

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


ALICE M. REIMCHE
City Clerk



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: April 7, 1999

Time: 7:00 p.m.

For information regarding this notice please contact:

Alice M. Reimche

City Clerk

Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, April 7, 1999** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing to consider the following matter:

- a) Planning Commission's recommendation that the City Council adopt a General Plan Land Use Amendment from MDR, Medium Density Residential to LDR, Low Density Residential for the property located at 2630 Paradise Drive.

Information regarding this item may be obtained in the office of the Community Development Department Director, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.


If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:


Alice M. Reimche
City Clerk

Dated: March 17, 1999

Approved as to form:


Randall A. Hays
City Attorney



DECLARATION OF MAILING

SET P.H. FOR 4/7/99 - GP Land Use Amendment for 2630 Paradise Drive

On March 18, 1999 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

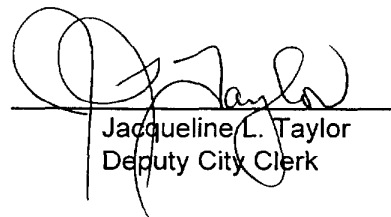
There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 18, 1999, at Lodi, California.

ORDERED BY:

**ALICE M. REIMCHE
CITY CLERK**



Jacqueline L. Taylor
Deputy City Clerk

Jennifer M. Perrin
Deputy City Clerk

1. 02704004;KRISTMONT WEST ;PO BOX 2397 ;LODI ;CA;95241
2. 02932039;FREITAS, WILLIAM & CECILIA F T;2495 MACARTHUR PKY ;LODI ;CA;95242
3. 02932003;VALENSIN, RANDY GRANT ;11678 VALENSIN RANCH RD ;GALT ;CA;95632
4. 02932001;DOLLINGER, VIOLA TR ;2537 CENTRAL PARK DR ;LODI ;CA;95242
5. 02932004;STEPHENS, ANDREW M & MARGARET ;2328 WINTERGREEN CT ;LODI ;CA;95242
6. 02724001;LARKIN, KEITH & DEBORAH ;301 LELAND CT ;LODI ;CA;95242
7. 02724002;CASHEROS, NICHOLAS SR & M ;309 LELAND CT ;LODI ;CA;95242
8. 02932002;VOIGHT, ORVILLE & JUANITA ;2541 CENTRAL OARK DR ;LODI ;CA;95242
9. 02932005;UPDEGRAFT, BARBARA D TR ETAL ;2553 CENTRAL PARK DR ;LODI ;CA;95242
10. 02932040;LANE, LILLIAN B ;2491 MACARTHUR PK ;LODI ;CA;95242
11. 02932041;SMITH, DORIS L TRUSTEE ;2487 MACARTHUR PK ;LODI ;CA;95242
12. 02932042;WIEGAND, REGINA ;2483 MACARTHUR PK ;LODI ;CA;95240
13. 02932043;SMITH, DONALD R & LILA F TR ;2479 MACARTHUR PK ;LODI ;CA;95242
14. 02932078;SYNOGROUND, LELA TR ;2482 CENTRAL PARK DR ;LODI ;CA;95242
15. 02932079;THEURIET, GEORGE L & CAROL D ;2486 CENTRAL PARK DR ;LODI ;CA;95242
16. 02932080;NEWFIELD, JOE JR & B TRS ;2490 CENTRAL PARK DR ;LODI ;CA;95242
17. 02932081;NUSZ, ESTHER E TR ;2494 CENTRAL PARK DR ;LODI ;CA;95242
18. 02932082;SOLARI, WILBUR F & A M TR ETAL;2498 CENTRAL PARK DR ;LODI ;CA;95242
19. 02932083;BECKMAN, MAY C ;2497 CENTRAL PARK DR ;LODI ;CA;95242
20. 02932084;BLUE, KENNETH F & HELEN ;2485 CENTRAL PARK DR ;LODI ;CA;95242
21. 02932085;WEAVER, NEAL F & ANN E TR ;2481 CENTRAL PARK DR ;LODI ;CA;95242
22. 02932091;PARKVIEW TERR, HOMEOWNERS ASSN;2346 CENTRAL PARK DR ;LODI ;CA;95242
23. 02945027;LODI BLDG PARTNERS I LP ;2375 W MARCH LN ;STOCKTON ;CA;95207

PH-2

April 7, 1999

RECEIVED

02 APR -7 AM 10:18

CLERK OF THE CITY CLERK
CITY OF LODI

Lodi City Clerk
221 W. Pine
Lodi, Ca. 95240

RE : Amendment of zone change from MDR. to LDR. at 2630
Paradise Drive

Dear Councilmember :

I am writing this letter in regard to the subject above. I am not writing this letter as a protest in part because I haven't followed to this point what the reasoning and inner workings for which it is being recommended for a zone change from MDR. to LDR.

This proposed zoning change raises a number of questions for the residents in the Sunwest and Taylor Rd. area.

Recently, developers along with Community Development Dept., planning commission and Council Member's have stated that there is a need for more higher zoning. What we are witnessing here is contrary to the concerns by those for such needed zoning.

It is my hope that this doesn't bring repercussion in the future from the standpoint that Lodi isn't meeting those needs in which decision's will be based on the need at the time without consideration of what's taking place at the present.

I would like to thank you for your time and concerns with this issue.

Respectfully yours,

